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PATENT
ATTORNEY DOCKET NO. 056297-5003-21-US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Stephen P.A. FODOR *et al.*

Application No.: 10/694,541

Filed: October 28, 2003

For: **Arrays for detecting nucleic acids**

Group Art Unit: 1634

Examiner: Unassigned

Commissioner for Patents
Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT

UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached PTO-1449. This Supplemental Information Disclosure Statement is being filed, to the best of the undersigned's knowledge, before the mailing date of a first Office Action on the merits for the above-referenced application. Accordingly, Applicants do not believe a fee is due for filing this Supplemental Information Disclosure Statement.

The above-identified patent application is a continuation under 37 C.F.R. 1.53(b) of prior Application No. **09/056,927**, filed July 28, 1999. The Examiner's attention is respectfully directed to the art of record in the parent case and, thus, no references are being submitted with the first PTO Form 1449 (twenty four-page document) and the second PTO form 1449 (three-page document). The third PTO form 1449 (four-page document) lists one hundred and thirty four (134) additional references. With the exception of U.S. Patents, copies of the listed documents are enclosed.


Applicants respectfully request that the Examiner initial and return the Form PTO-1449, indicating that the information has been considered and made of record herein.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If it should be determined that any of the listed documents constitutes "prior art" under United States law, Applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such document. Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

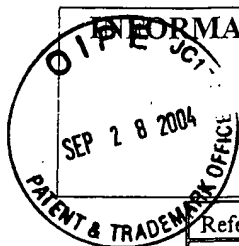
Except for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Date: **September 28, 2004**
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Reference Designation		U.S. PATENT DOCUMENTS				Page 1
Examiner Initial	Document No.	Date	Name	Class	Sub-class	Filing Date (If Appropriate)
1	3,849,137	11/19/74	Barzynski et al.			
2	3,862,056	1/21/75	Hartman			
3	3,939,350	2/7/78	Arwin et al.			
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5	4,180,739	12/25/79	Abu-Shumays			
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8	4,314,821	2/9/82	Rice			
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43	4,722,906	2/2/88	Guire			
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1	EP 046 083	2/17/82	Europe			
2	EP 063 810	3/5/86	Europe			
3	EP 088 636	9/14/83	Europe			

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4	EP 103 197	3/21/84	Europe			
5	EP 127 438	12/5/84	Europe			
6	EP 171 150	3/25/92	Europe			
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10	EP 225 807	10/19/94	Europe			
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12	EP 232 967	4/28/93	Europe			
13	EP 235 726	5/19/93	Europe			
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17	EP 268 237	5/28/88	Europe			
18	EP 281 927	9/14/88	Europe			
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20	EP 304 202	2/22/89	Europe			
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30	EP 717 113	6/19/96	Europe			
31	EP 848 067	6/17/98	Europe			
32	WO 84/03151	8/16/84	WIPO			
33	WO 84/03564	9/13/84	WIPO			
34	WO 85/01051	3/14/85	WIPO			
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39A	WO 89/08834	9/21/89	WIPO			
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62	WO 97/19410	5/29/97	WIPO			
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22	Bains, W., "Alternative Routes Through the Genome," <u>Biotechnology</u> , 8:1251-1256 (1988)
23	Balachander et al., "Functionalized Siloxy-Anchored Monolayers with Exposed Amino, Azido, Bromo, or Cyano Groups," <u>Tetrahed. Ltrs.</u> , 29(44):5593-5594 (1988)
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26	Barinaga, M., "Will 'DNA Chip' Speed Genome Initiative," <u>Science</u> , 253:1489 (1985)
27	Bart et al., "Microfabricated Electrohydrodynamic Pumps," <u>Sensors and Actuators</u> , A21-A23:193-197 (1990)
28	Bartsh et al., "Cloning of mRNA sequences from the human colon: Preliminary characterisation of defined mRNAs in normal and neoplastic tissues," <u>Br.J.Can.</u> , 54:791-798 (1986)
29	Baum, R., "Fledgling firm targets drug discovery process," <u>Chem. Eng. News</u> , p. 10-11 (1990)
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	CR	5,565,324	10/1996	STILL			04/1994
	DR	5,573,905	11/1996	LERNER			03/1992
	ER	5,604,097	02/1997	BRENNER			12/1994
	FR	5,635,400	06/1997	BRENNER			06/1995
	GR	5,654,413	08/1997	BRENNER			06/1995
	HR	5,690,894	11/1997	PINKEL			05/1995
	IR	5,770,367	06/1998	SOUTHERN			08/1994
	JR	5,804,563	09/1998	STILL			04/1996
	KR	5,807,683	09/1998	BRENNER			07/1994
	LR	5,846,719	12/1998	BRENNER			12/1998
	MR	5,863,722	01/1999	BRENNER			06/1995
	NR	6,023,540	02/2000	WALT			03/1997
	OR	6,054,270	04/2000	SOUTHERN			09/1997
	PR	6,060,240	05/2000	KAMB			12/1996

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		Document Number	Date MM/YYYY	Country	Inventor Name				
	QR	DE 3722958	01/1989	Germany	KLEFENZ				X
	RR	WO 99/60007	11/1999	WIPO	SOUTHERN				

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	SR	Bannwarth "Gene technology: A challenge for a chemist" Chimia 1987, 41:302-317					
	TR	Bannwarth et al. "A system for the simultaneous chemical synthesis of different DNA fragments on solid support" DNA 1986, 5:413-419					
	UR	Brenner et al. "In vitro cloning of complex mixtures of DNA on microbeads: Physical separation of differentially expressed cDNAs" Proc Natl Acad Sci USA 2000, 97:1665-1670					
	VR	Brenner et al. "Gene expression analysis by massively parallel signature sequencing (MPSS) on microbead arrays" Nature Biotechnology 2000, 18:630-634					
	WR	Tyagi "Taking a census of mRNA populations with microbeads" Nature Biotechnology 2000, 18:597-598					
	XR	Wada (chairman) Hayashibara Intl Workshop on Automatic and High Speed DNA-Base Sequencing 1987 pp. 1-63					

Examiner	Date Considered:
*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.	

INFORMATION DISCLOSURE STATEMENT

(Use several sheets if necessary)

PTO Form 1449

FIRST

Attorney Docket No.
56297-5003-21-US

Application No. 10/694,541

Applicants: Stephen P.A. FODOR *et al.*

Filing Date: 10/28/03

Group Art Unit: 1634

U.S. PATENT DOCUMENTS

Examiner's Initials*	Document Number	Date MM/YYYY	Name (Family Name of First Inventor)	Class	Sub Class	Filing Date (if appropriate)
	AR 5,075,077	12/1991	DURLEY			08/1988
	BR 5,567,809	10/1996	APPLE			04/1993
	CR 5,641,634	07/1997	MANDECKI			11/1995
	DR 5,751,629	05/1998	NOVA			06/1995
	ER					
	FR					
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	KR					
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	OR					
	PR					

FOREIGN PATENT DOCUMENTS

	Document Number	Date MM/YYYY	Country	Inventor Name	English Abstract		Translation Readily Available	
					Enclosed	No	Enclosed	N
	QR GB 2 129 551	05/1984	United Kingdom	MOCHIDA				
	RR							
	SR							
	TR							
	UR							
	VR							

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WR	Miller et al. "Detection of bacteria by hybridization of rRNA with DNA-latex and immunodetection of hybrids" J Clin Microbiol 1988, 26:1271-1276			
XR				
YR				
ZR				
AAR				
BBR				

Examiner

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U.S. PATENT DOCUMENTS

Examiner's Initials*		Document Number	Date MM/YYYY	Name (Family Name of First Inventor)	Class	Sub Class	Filing Date (if appropriate)
	AR	4,965,188	10/1990	Mullis			
	BR	5,474,796	12/1995	Brennan			
	CR						
	DR						
	ER						
	FR						
	GR						
	HR						
	IR						
	JR						
	KR						
	LR						
	MR						
	NR						

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		Document Number	Date MM/YYYY	Country	Inventor Name		English Abstract		Translati on Readily Available
							Enclosed	No	Enclose
	OR	2233654	1/1991	U.K.					
	PR	WO 90/00626	1/1990	WIPO					
	QR	WO 93/17126	9/1993	WIPO					
	RR	0 721 016 A3	07/1996	Europe	Lockhart				
	SR	WO 95/00530	01/1995	PCT	Fodor				
	TR								
	UR								
	VR								
	WR								
	XR								

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ZR	Church et al, Proc. Natl. Acad. Sci., 81:1991-1995 (Apr., 1984)		
AAR	Chetverin et al, Bio/Technology, 12:1093-1099 (Nov. 1994)		
BBR	Coulson et al, Proc. Natl. Acad. Sci. USA, 83:7821-7825 (Oct. 1986)		
CCR	Dower et al, Ann. Rep. Med. Chem., 26:271-280 (1991)		
DDR	Dramanac et al, J. Biomol. Struct. Dyn., 8(5):1085-1102 (1991)		

Examiner

Date Considered:

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INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary) <div style="display: flex; justify-content: space-between; align-items: center;"> PTO Form 1449 FIRST </div>	Attorney Docket No. 56297-5003-21-US	Application No. 10/694,541
	Applicants: Stephen P.A. FODOR <i>et al.</i>	
	Filing Date: 10/28/03	Group Art Unit: 1634

U.S. PATENT DOCUMENTS						
Examiner's Initials*	Document Number	Date MM/YYYY	Name (Family Name of First Inventor)	Class	Sub Class	Filing Date (if appropriate)
	AR					
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	MR					
	NR					

FOREIGN PATENT DOCUMENTS						English Abstract		Translation Readily Available
	Document Number	Date MM/YYYY	Country	Inventor Name		Enclosed	No	Enclose
	OR							
	PR							
	QR							
	RR							
	SR							
	TR							
	UR							
	VR							
	WR							
	XR							

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ZR	Khrapko et al, DNA Seq. Map, 1:375-388 (1991)					
AAR	Lander et al, Genomics, 2:231-239 (1988)					
BBR	Little, Nature, 346:611-612 (1990)					
CCR	Lysov et al, Dokl. Akad. Nauk. SSSR, 303:1508-1511 (1988)					
DDR	Olson et al, Proc. Natl. Acad. Sci. USA, 83:7826-7830 (Oct. 1986)					

Examiner	Date Considered:
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INFORMATION DISCLOSURE CITATION (Use several sheets if necessary) PTO Form 1449 SECOND	Attorney Docket No. 056297-5003-21-US	Application No.: 10/694,541
Applicant: Stephen P. A. FODOR <i>et al.</i>		
Filing Date: October 28, 2003		PAGE 1 of 3 Group Art Unit: 1634

U.S. PATENT DOCUMENTS							
*Examiner Initial		Document Number	Date	Name	Class	Sub Class	Filing Date
		3,730,844	05/01/73	Gilham <i>et al.</i>			
		4,121,222	10/17/78	Diebold <i>et al.</i>			
		4,216,245	08/05/80	Johnson			
		4,500,919	02/19/85	Schreiber			
		4,533,682	08/06/82	Tortorello <i>et al.</i>			
		4,556,643	12/03/85	Paaui <i>et al.</i>			
		4,563,419	01/07/86	Ranki <i>et al.</i>			
		4,588,682	05/13/86	Groet <i>et al.</i>			
		4,591,570	05/27/86	Chang			
		4,598,049	07/01/86	Zelinka <i>et al.</i>			
		4,656,127	04/07/87	Mundy			
		4,670,380	06/02/87	Dattagupta			
		4,683,195	07/28/87	Mullis <i>et al.</i>			
		4,715,413	12/29/87	Backlund <i>et al.</i>			
		4,716,106	12/29/87	Chiswell			
		4,719,179	01/12/88	Barany			
		4,737,344	04/12/88	Koizumi <i>et al.</i>			
		4,766,062	08/23/88	Diamond <i>et al.</i>			
		4,767,700	08/30/88	Wallace			
		4,811,218	03/07/89	Hunkapiller <i>et al.</i>			
		4,877,745	10/31/89	Hayes <i>et al.</i>			
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		5,006,464	04/09/91	Chu <i>et al.</i>			
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		5,028,545	07/02/91	Soini			
		5,037,882	08/06/91	Steel			
		5,064,754	11/12/91	Mills			
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		5,149,625	09/22/92	Church <i>et al.</i>			
		5,164,319	11/17/92	Hafeman <i>et al.</i>			
		5,171,695	12/15/92	Ekins			
		5,188,963	02/23/93	Stapleton			
		5,219,726	06/15/93	Evans			
		5,225,326	07/06/93	Bresser <i>et al.</i>			
		5,328,824	07/12/94	Ward <i>et al.</i>			
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INFORMATION DISCLOSURE CITATION (Use several sheets if necessary) PTO Form 1449 SECOND				Attorney Docket No. 056297-5003-21-US		Application No.: 10/694,541	
				PAGE 2 of 3			
				Applicant: Stephen P. A. FODOR <i>et al.</i>		Filing Date: October 28, 2003	
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*Examiner Initial	Document Number	Date	Name	Class	Sub Class	Filing Date	
	5,569,584	10/29/96	Augenlicht				
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	5,604,099	02/18/97	Erlich <i>et al.</i>				
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	5,869,237	02/09/99	Ward <i>et al.</i>				
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	6,040,166	03/21/00	Erlich <i>et al.</i>				
	6,054,270	04/25/00	Southern				

FOREIGN PATENT DOCUMENTS							
	Document Number	Date	Country	Class	Sub Class	Translation YES NO	
	EP 130 523	06/01/88	Europe				
	EP 142 299	12/19/90	Europe				
	EP 174 879	03/19/86	Europe			Yes	
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	WO 88/01058	02/11/88	WIPO				
	WO 90/05789	05/31/90	WIPO				
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	CA 1284931	06/19/91	Canada				
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	YU P-570/87	04/01/87	Yugoslavia				

Examiner:	Date Considered
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INFORMATION DISCLOSURE CITATION (Use several sheets if necessary) PTO Form 1449 SECOND		Attorney Docket No. 056297-5003-21-US	Application No.: 10/694,541
		PAGE 3 of 3	
		Applicant: Stephen P. A. FODOR <i>et al.</i>	Filing Date: October 28, 2003
		Group Art Unit: 1634	

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Examiner	Date Considered
Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	

INFORMATION DISCLOSURE CITATION (Use several sheets if necessary) <div style="display: flex; justify-content: space-between;"> PTO Form 1449 THIRD </div>	Attorney Docket No. 056297-5003-21-US	Application No. 10/694,541
	Applicants: Stephen P. A. FODOR <i>et al.</i> <div style="text-align: right;">PAGE 1 of 4</div>	
	Filing Date: October 28, 2003	Group Art Unit: 1634

U.S. PATENT DOCUMENTS							
Initial		Document No.	Date	Name	Class	Sub-Class	Filing Date
	1.	20030082611	5/1/2003	Minshull			
	2.	6,653,153 B2	11/25/2003	Xiong et al.			
	3.	6,416,949	7/9/2002	Dower, et al.			
	4.	6,410,245	6/25/2002	Northrop, et al.			
	5.	6,403,957	6/11/2002	Fodor , et al.			
	6.	6,403,320	6/11/2002	Read , et al.			
	7.	6,368,874	4/9/2002	Gallop, et al.			
	8.	6,309,822	10/30/2001	Fodor et al.			
	9.	6,265,552	7/24/2001	Schatz			
	10.	6,197,506	3/6/2001	Fodor , et al.			
	11.	6,165,778	12/26/2000	Kedar			
	12.	6,165,717	12/26/2000	Dower, et al.			
	13.	6,156,511	12/5/2000	Schatz, et al			
	14.	6,143,497	11/7/2000	Dower, et al.			
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	16.	6,107,059	8/11/2000	Hart			
	17.	6,056,926	5/2/2000	Sugarman, et al.			
	18.	5,986,047	11/16/1999	Wrighton, et al.			
	19.	5,932,433	9/3/1999	Schatz			
	20.	5,922,545	7/13/1999	Mattheakis, et al.			
	21.	5,880,096	3/9/1999	Barrett			
	22.	5,874,239	2/23/1999	Schatz			
	23.	5,871,928	2/16/1999	Fodor , et al.			
	24.	5,861,476	1/19/1999	Barrett, et al.			
	25.	5,837,551	11/17/1998	Ekins			
	26.	5,830,851	11/3/1998	Wrighton, et al.			
	27.	5,830,721	11/3/1998	Stemmer, et al.			
	28.	5,817,751	10/6/1998	Szardenings, et al.			
	29.	5,814,603	9/29/1998	Oldenburg, et al.			
	30.	5,811,238	9/22/1998	Stemmer, et al.			
	31.	5,807,755	9/15/1998	Ekins			
	32.	5,789,162	8/4/1998	Dower, et al.			
	33.	5,786,331	7/28/1998	Barrett, et al.			
	34.	5,786,322	7/28/1998	Barrett, et al.			
	35.	5,773,569	6/30/1998	Wrighton, et al.			
	36.	5,770,358	6/23/1998	Dower, et al.			
	37.	5,767,234	6/16/1998	Yanofsky, et al.			

FOREIGN PATENT DOCUMENTS							
		Document No.	Date	Country	Class	Sub-Class	Translation

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)

Examiner	Date Considered
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INFORMATION DISCLOSURE CITATION (Use several sheets if necessary)	Attorney Docket No. 056297-5003-21-US	Application No. 10/694,541
	Applicants: Stephen P. A. FODOR et al.	
	PAGE 3 of 4	
PTO Form 1449 THIRD	Filing Date: October 28, 2003	Group Art Unit: 1634

U.S. PATENT DOCUMENTS							
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	74.	5,219,763	6/15/1993	Van Hoegaerden			
	75.	5,156,953	10/20/1992	Litman et al.			
	76.	4,968,633	11/6/1990	Marcucci			
	77.	4,965,188	10/23/1990	Mullis et al.			
	78.	4,880,750	11/14/1989	Francoeur			
	79.	4,843,018	6/27/1989	Berger et al.			
	80.	4,673,657	6/16/1987	Christian			
	81.	4,670,218	6/2/1987	Gantzer et al.			
	82.	4,652,533	3/24/1987	Jolley			
	83.	4,647,544	3/3/1987	Nicoli et al.			
	84.	4,608,344	8/26/1986	Carter et al.			
	85.	4,591,570	5/27/1986	Chang			
	86.	4,563,417	1/7/1986	Albarella et al.			
	87.	4,487,839	12/11/1984	Kamentsky			
	88.	4,459,360	7/10/1984	Marinkovich			
	89.	4,402,819	9/6/1983	Rechnitz et al.			
	90.	4,344,438	8/17/1982	Schultz			
	91.	4,301,115	11/17/1981	Rapkin et al.			
	92.	4,299,916	11/10/1981	Litman et al.			
	93.	4,292,296	9/29/1981	Parsons, Jr.			
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